

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ORLANDO STANFORD, )  
Petitioner, ) Civil Action No. 17 – 1586  
v. ) Chief District Judge Joy Flowers Conti  
JOHN WALTON, *Warden*, and ) Magistrate Judge Lisa Pupo Lenihan  
JAMES LAZAR, DA, )  
Respondents.

**MEMORANDUM ORDER**

Pending before the Court is an Amended Petition for Writ of Habeas Corpus filed by Petitioner Orlando Stanford on December 15, 2017. The Petition challenges his October 2, 2017 conviction out of Westmoreland County for firearm related offenses at CP-65-CR-0003058-2015. The Amended Petition was referred to United States Magistrate Judge Lisa Pupo Lenihan for review in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D

On January 19, 2018, Magistrate Judge Lenihan issued a Report and Recommendation, recommending that the Amended Petition be dismissed without prejudice and that a Certificate of Appealability be denied. The Report and Recommendation was served on Petitioner and he was informed that the deadline to file written objections was February 5, 2018. As of today, no objections have been filed.

Therefore, upon an independent review of the record and consideration of the Magistrate Judge's Report and Recommendation, the following Order is entered:

**AND NOW**, this 26th day of February, 2018.

**IT IS HEREBY ORDERED** that Magistrate Judge's Report and Recommendation (ECF No. 8) is adopted as the Opinion of the Court

**IT IS FURTHER ORDERED** that the Amended Petition for Writ of Habeas Corpus (ECF No. 7) is dismissed without prejudice.

**IT IS FURTHER ORDERED** that a Certificate of Appealability is denied.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Petitioner has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

/s/ Joy Flowers Conti

Joy Flowers Conti  
Chief United States District Judge

cc: Orlando Stanford  
3732-2017  
Westmoreland County Prison  
3000 South Grande Blvd.  
Greensburg, PA 15601